

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4393

AN ORDINANCE of the City of Bellevue, Washington relating to the funding of public safety facilities and operations; providing for the submission to the qualified electors of the City at a special election to be held therein on September 15, 1992 of a proposition authorizing the City to levy regular property taxes in excess of the 106% levy limitation for the purpose of funding 911 and emergency radio communications, police, fire and emergency medical facilities and operations.

WHEREAS, the City Council (the "Council") of the City of Bellevue (the "City") has determined that the public safety requires that additional funds be made available to adequately provide for 911 and emergency radio communications, police, fire and emergency medical facilities and operations; and

WHEREAS, the plan for the financing of such public safety facilities and operations requires that expenditures for the acquisition and construction of capital facilities be made primarily in the early years and expenditures for maintenance and operations be made primarily in the subsequent years; and

WHEREAS, to provide funding for a portion of such public safety facilities and operations, it is deemed necessary and advisable that the City levy regular property taxes in 1992 in excess of the 106% limitation to collect \$3,520,000 in 1993 and to use such amount in calculating subsequent levies through 2014 for collection through 2015 and thereafter to reduce such levy by \$6,500,000 and to use such reduced amount in calculating subsequent levies; and

WHEREAS, RCW 84.55.050 provides that the question of whether or not regular property taxes may exceed the 106% limitation must be submitted to the qualified electors of the City for their ratification or rejection; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN, AS FOLLOWS:

Section 1. Public Safety Funding Plan. Subject to voter approval as specified herein, the City hereby adopts a plan for funding: (a) a portion of the ongoing operations of its police and fire departments and its 911 and emergency radio

communications system and (b) a portion of the costs necessary to plan, design, acquire, construct, equip, develop and improve the following capital facilities at the following estimated costs in 1992 dollars, to be phased in as necessary to meet reasonable design, permitting, acquisition and construction schedules (the "Facilities"):

1. Fire Station No. 8. At an approximate cost of \$2.327 million, the City will construct a new fire station at 5701 Lakemont Blvd. S.E. to serve southeast Bellevue;

2. 800 Megahertz Emergency Radio Communications. At an approximate cost of \$7.645 million to the City, the City will acquire and install an 800 megahertz emergency radio communications system;

3. Interim Police Annex. At an approximate cost of \$757,000, the City will (a) make minimal improvements to the existing library to provide an interim police center pending completion of construction of a new center, and (b) remodel and reconfigure the existing police center;

4. Police/Fire Center. At an approximate cost of \$13.732 million, the City will construct a new police/fire center to the north of the existing library and adjacent to City Hall to house the police force and administrative staff of the fire department and provide limited parking; and

5. 911 Radio Communications and Emergency Operations Center. At an approximate cost of \$1.805 million, the City will expand and combine its 911 Communications Center and its Emergency Operations Center either in the proposed new Police/Fire Center or in the present location.

The cost of all necessary appraisals, negotiation, closing, architectural, engineering, financial, legal and other consulting services, inspection and testing, administrative and relocation expenses, interest costs on interfund borrowing and other costs incurred in connection with the making of the foregoing capital improvements shall be deemed a part of the capital costs of such improvements. Such improvements shall be complete with all necessary furniture, equipment and appurtenances. The cost of maintenance of facilities, accounting, administrative and other indirect costs of providing services and ongoing operating costs shall be deemed a cost of operations.

By ordinance of the City, the Council may alter, make substitutions to and amend the project descriptions specified above as it determines is in the best interests of the City and consistent with the general descriptions provided herein.

By ordinance of the City, the Council shall determine the application of moneys available for the various purposes and projects set forth above so as to accomplish, as nearly as may be, all purposes described as part of such projects. The City shall determine the exact extent and specifications for, and order of acquisition and construction of, property, structures or other improvements. If the Council by ordinance shall determine that it has become impractical to accomplish any of such improvements or portions thereof by reason of changed conditions, incompatible development, costs substantially in excess of the amount of levy proceeds estimated to be applied thereto, or acquisition by a superior governmental authority, the City shall not be required to accomplish such purpose. In the event funds are insufficient to fund all of the purposes herein authorized, the City shall use the available funds for those purposes for which the levy was approved which are deemed most necessary and in the best interests of the City by the Council. In the event levy funds authorized herein become available after consideration of the above stated purposes, the Council by ordinance may fund additional 911 and emergency radio communication, police, fire and emergency medical facilities and operations therewith.

Section 2. Authorization of Levy. For the purpose of providing funds necessary to pay a portion of the operating costs of the police and fire departments and the 911 and emergency radio communications systems of the City and a portion of the public safety capital improvements authorized in Section 1 of this ordinance, the City hereby authorizes the levy of regular property taxes, subject to the approval of voters in accordance with RCW 84.55.050, in excess of the 106% levy limitation contained in RCW 84.55.010, as follows: the City shall be authorized to levy regular property taxes (i) in 1992 for collection in 1993 of \$3,520,000 and to use the amount levied in each year thereafter through 2014 for collection in 2015 to compute limitations on subsequent tax levies and (ii) in 2015 for collection in 2016 by reducing the immediately previous levy by \$6,500,000 and thereafter to use the reduced amount levied in calculating subsequent tax levies. The City shall be authorized to collect such amount in 1993 by increasing the levy rate of regular property taxes by an estimated rate of \$0.37 per thousand dollars of assessed valuation in 1992, causing the aggregate levy rate of regular property taxes in 1992 for collection in 1993 to be approximately \$2.31 per thousand dollars of assessed value (excluding any other voter approved ballot propositions). Proceeds of the levy shall not be used to pay debt service on bonds but may be used to make lease or lease purchase payments or repay interfund loans with respect to facilities and equipment authorized hereunder.

The director of finance is authorized to make loans from one or more city funds to the fund receiving the levies authorized

herein in the event of cash flow shortages during implementation of the public safety funding plan authorized in Section 1 hereof. Such interfund loans shall be for amounts and for terms that the director of finance determines are necessary to implement the plan and after the director of finance has determined, in writing, that the loaning fund will have adequate cash balances to continue to meet current expenses payable from such fund following the loan and until repayment thereof.

Section 3. Election. It is hereby found and declared that an emergency exists requiring the submission to the qualified electors of the City of a proposition of whether or not the City shall levy regular property taxes in excess of the 106% levy limitation for the purposes specified in this ordinance. The Director of Records and Elections of King County is hereby requested also to find the existence of such emergency and to assume jurisdiction of and to call and conduct said special election to be held within the City and to submit to the qualified electors of the City the proposition hereinafter set forth.

The City Clerk is hereby authorized and directed not less than 45 days prior to September 15, 1992 to certify the following proposition to the Director of Records and Elections of King County in the following form:

CITY OF BELLEVUE

PROPOSITION NO. 1

PUBLIC SAFETY LEVY

To provide funding for 911 and emergency radio communications, police, fire and emergency medical facilities and operations, shall the City of Bellevue increase its regular property tax levy in excess of the 106% limitation (i) in 1992 for collection in 1993 by up to \$3,520,000 (and thereafter use such levy to compute limitations for subsequent years through 2014 for collection through 2015) by levying approximately an additional \$0.37 per thousand dollars of assessed valuation in 1992 (to provide a total of approximately \$2.31 per thousand of assessed valuation in 1992) and (ii) in 2015 for collection in 2016 reduce such levy by \$6,500,000 (and thereafter use such reduced levy to compute limitations for subsequent

years), all as more fully provided in
Ordinance No. _____?

LEVY, YES []

LEVY, NO []

The polls for such special election shall be open from 7:00 a.m. to 8:00 p.m.

Certification of such proposition by the City Clerk to the Director of Records and Elections of King County, in accordance with law, prior to the date of such election on September 15, 1992, and any other act consistent with the authority and prior to the effective date of this ordinance, are hereby ratified and confirmed.

Section 5. Severability. In the event any one or more of the provisions of this ordinance shall for any reason be held to be invalid, such invalidity shall not affect or invalidate any other provision of this ordinance, but this ordinance shall be construed and enforced as if such invalid provision had not been contained therein; provided, that any provision which shall for any reason be held by reason of its extent to be invalid shall be deemed to be in effect to the extent permitted by law.

Section 6. Effective Date. This ordinance shall become effective five days after its passage and legal publication.

PASSED by the City Council of the City of Bellevue at a regular meeting thereof, this 20th day of July, 1992 and signed in authentication of its passage this 20th-day of July, 1992.

CITY OF BELLEVUE, WASHINGTON


Cary Bozeman, Mayor

(SEAL)

Approved as to Form:


Richard L. Kirkby,
Assistant City Attorney

ATTEST:


Marie K. O'Connell, City Clerk

Published: July 24, 1992